more, the party against whom the decree was granted was not the owner of the land. Therefore it is submitted that the whole decree was null and void; that the lease to the present plaintiff was valid; and that he accordingly had no right to recover back the money paid.

MORTGAGES — PRIORITIES — PRIORITY OF PURCHASE-MONEY MORTGAGE ACQUIRED AT FORECLOSURE SALE OVER EXISTING SECOND MORTGAGE. — A property owner who had given first and second mortgages purchased the property under a foreclosure of the first mortgage, giving a purchase-money mortgage to the plaintiff, a third person. The plaintiff now seeks to foreclose this mortgage. The second mortgagee claims priority. *Held*, that the plaintiff's mortgage has priority. *Duer* v. *Jaeger*, 186 N. Y. Supp. 584 (Sup. Ct.).

A purchaser at a foreclosure sale of mortgaged property will ordinarily take free from all junior liens or mortgages. *Schnantz* v. *Schellhaus*, 37 Ind. 85; *Heinroth* v. *Frost*, 250 Ill. 102, 95 N. E. 65. But where such purchaser is the mortgagor himself, it is clearly equitable that junior liens be revived against him. *Otter* v. *Lord Vaux*, 6 De. G., M. & G. 638. When, however, he gives a purchase-money mortgage to a third person who pays off the first mortgage, the new mortgage should have priority over the junior lien. See 26 HARV. L. REV. 261. The reason usually given is that the whole transaction is over in a breath, and the purchase-money mortgage has attached before the junior lien has had time to obtain priority. *Warren Mortgage Co.* v. *Winters*, 94 Kan. 615, 146 Pac. 1012; *Rees* v. *Ludington*, 13 Wis. 276. See *Western Tie & Timber Co.* v. *Campbell*, 113 Ark. 570, 169 S. W. 253. Such reasoning is artificial and savors of the mechanical habits of the mediaeval mind. In reality the situation amounts merely to substitution of one first mortgage for another. *See Protestant Episcopal Church* v. *E. E. Lowe Co.*, 131 Ga. 666, 63 S. E. 136; *Haywood* v. *Nooney*, 3 Barb. (N. Y.) 643. At least if the purchase-money mortgage is no greater than the original first mortgage, the junior lien-holder is no worse off than before, and he can urge no equitable grounds upon which he should be promoted to the first place.

POLICE POWER — INTEREST OF PUBLIC HEALTH — LICENSING ACT DISCRIMINATING AGAINST CHIROPRACTORS. — Defendant was convicted under a statute prohibiting the practice of drugless healing without a license. The statute provided that a license could be applied for only on the successful completion of a four-year course in a reputable school teaching that system; whereas for the regular medical and surgical license no definite length of study was required. (1917 ILL. LAWS, p. 580; 1917 ILL. REV. STAT., c. 91, § 9.) Defendant, a chiropractor, attacks the constitutionality of this statute. *Held*, the statute is unconstitutional. *People* v. *Love*, 131 N. E. 809 (Ill.).

The legislature has power to make laws to protect the public health, and so especially to regulate the practice of medicine and healing. *Dent* v. *West Virginia*, 129 U. S. 114. Under this power the legislature may make such regulations of chiropractic as are reasonably related to the public good. *State* v. *Smith*, 233 Mo. 242, 135 S. W. 465. Possibly it could be prohibited altogether, on the ground that more harm than good will come of treating all diseases solely by manipulations of the vertebræ. Courts should respect legislative judgment in such exercise of the police power. See *Jacobson* v. *Massachusetts*, 197 U. S. 11; *Powell* v. *Pennsylvania*, 127 U. S. 678. There is, then, no objection to the statute on the ground of due process. But, as a physician might practice chiropractic under his general license, the question arises whether the legislature is denying equal protection of the laws in requiring fewer years of study for such a license than for a license to practice drugless healing alone. Here again the court should defer to legislative au-